

RAILROAD RETIREMENT BOARD**20 CFR Ch. II****Semiannual Agenda of Regulations Under Development or Review**

AGENCY: Railroad Retirement Board.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda contains lists of regulations that the Board is developing or proposes to develop in the next 12 months and regulations that are scheduled to be reviewed in that period.

ADDRESSES: 844 North Rush Street, Chicago, Illinois 60611-2092.

FOR FURTHER INFORMATION CONTACT: Marguerite P. Dadabo, Assistant General Counsel, Office of General Counsel, Railroad Retirement Board, (312) 751-4945; Fax (312) 751-7102, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Regulations that are routine in nature or which pertain solely to internal agency management have not been included in the agenda.

Dated: July 29, 2008.

By Authority of the Board.

NAME: Beatrice Ezerski,
Secretary to the Board.

The 3 Regulatory Agendas

Railroad Retirement Board - Proposed Rule

Title	Regulation Identifier Number
Removal of Listing of Impairments and Related Amendments	3220-AB62

Railroad Retirement Board - Completed Action

Title	Regulation Identifier Number
Listing of Impairments	3220-AB51
Payments Pursuant to Court Decree or Court-Approved Property Settlement	3220-AB61

Railroad Retirement Board (RRB)

RIN: 3220-AB62

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Title: Removal of Listing of Impairments and Related Amendments

Abstract: The Railroad Retirement Board amends 20 CFR part 220 to remove appendix 1, Listing of Impairments, and to provide public notice as to how the Board will determine disability after removal of the Listings. This proposed rule replaces 3220-AB51, which was withdrawn in November 2007, prior to its publication as a proposed rule.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/01/2008	73 FR 44946
NPRM Comment Period End	09/30/2008	
Second NPRM	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 3220-AB51

Agency Contact: Marguerite P. Dadabo

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Railroad Retirement Board (RRB)

RIN: 3220-AB51

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Title: Listing of Impairments

Abstract: The Railroad Retirement Board amends 20 CFR 220.110 and appendix 1--Listing of Impairments, to conform the medical criteria that apply to disability determinations to the medical criteria in the Social Security Administration's regulations (20 CFR 404, subpart P, appendix 1). This withdrawn proposal has been replaced by a new draft proposed regulation, RIN 3220-AB62.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 220; 20 CFR 220, app 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 45 USC 231a; 45 USC 231f

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	11/21/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Railroad Retirement Board (RRB)

RIN: 3220-AB61

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Title: Payments Pursuant to Court Decree or Court-Approved Property Settlement

Abstract: The Board proposes to amend part 295 of its regulations to reflect the changes made by Public Law 109-280, to reflect changes in certain titles of agency employees, and to correct or clarify certain references. Under section 14(b) of the Railroad Retirement Act, the non-tier I portion of a railroad retirement annuity may be characterized as property subject to partition in a proceeding for divorce, annulment, or legal separation. Prior to the effective date of Public Law 109-280, a partition payment would terminate upon the death of either the railroad employee or the former spouse, whichever occurred first, unless the court order provided for termination at an earlier date. Section 1003 of the Pension Protection Act of 2006, Public Law 109-280, amended the Railroad Retirement Act effective August 17, 2007, to provide that a partition payment will only terminate upon the employee's death when the court order requires such termination. Consequently, unless the court order requires termination of payments upon the employee's death, tier II partition payments to divorced spouses may now continue beyond the employee's death.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 20 CFR 295 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 45 USC 231f; 45 USC 231m

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/06/2008	73 FR 12037
NPRM Comment Period End	05/05/2008	
Final Action	08/13/2008	73 FR 47044

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

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Government Levels Affected: No

Federalism: No